IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Crl.Rev.Pet.No. 1054 of 1999

CRA.267/1997 of ADDL. SESSIONS COURT, THRISSUR
SC.214/1995 of ASSISTANT SESSIONS COURT, THRISSUR

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REVN. PETITIONER:

BIJU, S/O. AREEKARA VELAYUDHANKUTTY,
MULLASSERY VILLAGE-DESOM, CHAVAKKAD TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.S.R.MANOJ

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR MR. C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO. 4852/1999 IN CRL.R.P.NO. 1054/1999

DISMISSED.

28-3-2007 **SD/-K.R.UDAYABHANU,JUDGE**

TRUE COPY

P.S.TO JUDGE

K.R. UDAYABHANU, J.

CRL.R.P.NO.1054 of 1999

DATED THIS THE 28th March 2007

ORDER

The revision petitioner stands convicted for the offence under Section 354 I.P.C. and sentenced to undergo rigorous imprisonment for six months and to pay a fine of Rs.3,000/- and in default to undergo simple imprisonment for three months and out of the fine amount, if realised, Rs.2,000/- will be paid to PW2, the victim. The prosecution allegation is that on 19-3-1992 at about 2.30 p.m. the revision petitioner with the intention to commit rape on PW2, the girl aged 18 years trespassed into the kitchen of the house and forcibly hugged and kissed her and that when PW2, girls' father came to the kitchen, the revision petitioner ran away.

Counsel for the petitioner has only sought for modification of the sentence pointing out that the incident has taken place in 1992 and so long the revision petitioner was facing the criminal proceedings. The revision petitioner was then aged 22 years. In the circumstances, the sentence is modified to pay a fine of

Rs.10,000/- and the fine amount, if realised, is to be paid to PW2. The Crl.revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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K.R.UDAYABHANU, J

CRL.R.P.NO.1054 OF 1999

ORDER

19-2-2007

K.R.UDAYABHANU, J

CRL.R.P.NO.786 OF 1998

ORDER

19-2-2007